THE HONOURABLE SRI JUSTICE

A.GOPAL REDDY

W.P.No.3326 of 2005

Dt.21-04-2006

Between:

K.Mano Rani

..Petitioner

and

1. The Dist. Collector, Cudddapah and others.

..Respondents.

THE HONOURABLE SRI JUSTICE

A.GOPAL REDDY

W.P.No.3326 of 2006

Oral Order:

Petitioner was appointed temporarily as fair price shop dealer of G.K.Rachapalli, T.Sundupalli Mandal, Cuddapah District on the existing vacancy due to resignation of permanent dealer in reference No.A/762/2000 dated 28-10-2000 making it clear that her appointment is made purely on temporary basis and liable for termination at any time without assigning any reasons and she will not confer any right while filling the vacancy on regular basis. While so, Kum.B.Lashmi Devi @ Swaroopa, Commander of Special Guerilla Squad surrendered before the Additional Superintendent of Police, Cuddapah on 11-10-2004. The District Level Committee on Relief and Rehabilitation to surrendered extremists met on 03-01-2005 under the

Chairmanship of the District Collector to which Additional Superintendent of Police, Cuddapah, the Project Director, D.R.D.A., Cuddapah, the General Manager, D.C.C. Bank, Cuddapah and Joint Director, Animal Husbandry, Cuddapah have attended and the Committee has resolved to sanction Fair Price Shop dealership of G.K.Rachapalli to her, as she is residing near to the village and there is no hindrance to allot the shop, as the same is manned by a temporary dealer. Accordingly, the Collector through his proceedings dated 04-01-2005 directed the R.D.O. to appoint her as fair price shop dealer of G.K.Rachapalli. Consequently the R.D.O. by proceedings dated 07-02-2005 appointed her in the place of petitioner—temporary dealer.

Questioning the legality and validity of the said order the present writ petition is being filed contending that without notifying the said vacancy and without following due procedure by terminating the temporary dealer appointing the 4th respondent as fair price shop dealer is highly arbitrary and illegal. While providing rehabilitation to the surrendered extremists authorities cannot deprive the livelihood of the petitioner, which is in clear violation of fundamental rights guaranteed under Articles 14 and, 19(1)(g) and 21 of the Constitution.

The 3rd respondent filed a counter explaining the circumstances in appointing the 4th respondent as fair price shop dealer.

It is not in dispute that the petitioner was appointed temporarily by clearly observing that she will not claim any right while filling the vacancy on regular basis. Providing rehabilitation to the ex-extremists to bring them in the mainstream is a laudable object, by which the citizens those who have adopted violation can bring to the main stream. Once the petitioner will not have any right to claim her appointment, which was temporary, cannot question the appointment of the 4th respondent made in furtherance of the public policy.

The writ petition fails and it is accordingly dismissed. No costs.

_____ A.GOPAL REDDY, J.

21-04-2006

Murthy